

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

HARRY HOLT, *et al.*,

Appellants,

vs.

Case No. 08-cv-3344

ALPER HOLDINGS USA, INC.,

Appellee.

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that appellants Harry Holt et al. will move this Court, at a place and time to be determined, for an order pursuant to Fed. R. Civ. P. 42 to consolidate this case with *Flake v. Alper Holdings USA, Inc.*, 08-cv-2489-CM; *Armstrong v. Alper Holdings USA, Inc.*, 08-cv-3625-GBD; and *Adkins v. Alper Holdings USA, Inc.*, 08-cv-\_\_\_\_ (appeal from bankruptcy order filed on April 10, 2008, but not yet docketed with this Court).

In support of this motion, appellants rely upon the accompanying memorandum of law and the records in all four cases.

Dated: April 16, 2008.  
New York, NY

Respectfully submitted,

NAACP LEGAL DEFENSE & EDUCATIONAL FUND, INC.

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**CERTIFICATE OF SERVICE**

I certify that I served, by email and by first-class mail with postage prepaid, a true and correct copy of the foregoing to:

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Dated: April 16, 2008.

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